

Management of Nursery Stock After Treatment with Tame®

2.4 EC Spray for Glassy-Winged Sharpshooter

Purpose	<p>This letter addresses label interpretations regarding Tame® 2.4 EC Spray (Tame®), EPA Registration number 59639-77, restricted entry intervals (REI) and California Specific Requirements for personal protective equipment (PPE).</p>
Background	<p>Nurseries within the glassy-winged sharpshooter (GWSS) quarantine areas must treat outgoing stock (potted plants) to prevent exportation of the GWSS pest. Tame® has a 24-hour REI, as well as California Specific Requirements for all personnel working with treated ornamentals.</p>
Issues	<p>There are several issues related to this product.</p> <ul style="list-style-type: none">• Can plants be sold and moved off property during the 24-hour REI?• Does the statement “other personnel” refer to harvesters <u>and</u> outdoor nursery workers?• What are the California Specific Requirements after the 24-hour REI has expired and to whom do they apply?• What notification requirements apply?
DPR review	<p>The Enforcement Branch researched previous analyses, review and interpretations regarding Tame®. Staff contacted Department of Pesticide Regulation’s Worker Health and Safety and Registration Branches, as well as the registrant, Valent. The following PPE requirements are based on Worker Health and Safety’s exposure assessment of Tame® at the time of registration. This updated interpretation of REI and PPE requirements is based on providing adequate protection to all covered workers.</p>
REI requirements	<p>Worker protection standards found in Title 3, California Code of Regulations (3CCR) section 6770 allow workers to be in the treated area during the REI only to perform specified exempted activities. There is no exemption to harvest or move the plants out of the treatment area.</p>

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Treatment area *U.S./EPA Interpretive Policy¹ 5.16: Moving containers during REI,* specifically states that in cases where both the pots and the plants have been treated, both are considered the “treated area” and are subject to REI requirements. Tame® is applied for GWSS in a manner in which the pots are unavoidably part of the treatment area.

If Tame® is applied to the potted plants without any spray contacting the pots, the plants could then be moved, as the pots would not part of the “treated area.” We believe this would be a rare, unique circumstance.

Movement and sale after the REI expires Plants treated with Tame® may be sold and moved off-site only after the 24-hour REI has expired.

California Specific Requirements for PPE

All production greenhouse and nursery employees moving treated stock must abide by the labeling and the California Specific Requirements for use of PPE.

Production greenhouse/nursery:

For plants remaining on-site after the 24-hour REI has expired, **harvesters and other workers** (other personnel) must wear:

- Gloves for **seven** days after treatment, and
- Long-sleeved shirt, long pants, shoes, and socks for **14-days** after treatment (work clothing).

Retail centers (home and garden):

The California Specific Requirements for use of PPE do not apply to destination workers (home and garden retail employees) handling previously treated plants. However, in the event of prolonged contact with treated foliage, it is recommended that retail employees wear PPE.

If Tame® 2.4 EC is applied at a retail center, the California Specific Requirements do apply to the workers at the retail establishment.

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¹ U.S. EPA Agricultural Worker Protection Standard 40CFR Parts 156 & 170 Interpretive Policy Questions and Answers <http://www.epa.gov/pesticides/safety/workers/amendmnt.htm>

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Notification requirements

Production greenhouse/nursery:

Posting and notification are required under 3CCR sections 6761 and 6776.

Retail centers:

Notification requirements under the worker protection standards only apply to the originating production/greenhouse nursery. Notification to destination workers at retail centers is not required. However, notification to and use of PPE by workers unloading and moving treated stock at a retail nursery or garden center is recommended in the event of prolonged contact with the treated plants.

Customers:

There is no requirement to notify persons purchasing the potted plants of the 14-day PPE requirement, as it does not apply to customers.

This letter supplements earlier guidance

This interpretation incorporates and supercedes the guidance in County Agricultural Commissioner letter ENF 2003-42: Tame® 2.4 EC Spray - Label Interpretation.
